**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**

**ORDINARY ORIGINAL CIVIL JURISDICTION**

NOTICE OF MOTION NO. 2091 OF 2003

IN

SUIT NO. 2201 OF 1996

Herbertsons Limited .. Plaintiff

vs.

Deejay Distilleries

Pvt. Ltd., .. Defendants.

Ashish Kamath i/by Bharat Shah & Co.

for plaitniff.

Rupali Narialwala i/by Gordhandas & Fozdar

for defendants.

**CORAM : S.U.KAMDAR, J.**

**DATE : 28th OCTOBER, 2005.**

P.C.

. The learned advocate appearing for the defendants states that the defendants are no more manufacturinmg the said product as complained of by the plaintiff by virtue of his registered design and, therefore, the defendants say that necessary order may be passed. In that view of the matter, motion made absolute in terms of prayer clauses (a) and (c) excluding the bracketed portion which is

bracketed in red in prayer (c). Motion disposed of. No order as to costs.